

had a certain meaning and was understood to have that meaning? Now that you are on the bench, and you think it shouldn't be enforced that way, and you would like to see a different result, you just sort of amend it or write a footnote to it? I don't think that is good judicial policy, and I feel an obligation—I think a number of us in this Senate do—to confirm good judges—men and women of character and ability and faithfulness to our laws and Constitution—but also raise the concerns that we have and to use every bit of our ability and strength to oppose nominees who won't be faithful to those high ideals that have made us a nation of laws and made us prosperous and free.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. McCASKILL). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEMINT. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSPORTATION APPROPRIATIONS

Mr. DEMINT. Madam President, I wish to speak to an amendment of mine that is to be on the floor on the transportation bill in a few minutes. It is an amendment that would cut funding to a particular airport in Pennsylvania. I wish to discuss why we are targeting this particular cut.

As all of us know, all over America for the last several months, millions of Americans have come out to TEA parties and townhalls, expressing concern and even anger over the level of spending and borrowing and debt we are incurring here in Congress; the concern about all the new taxes we are talking about; the takeover of everything from General Motors to insurance companies. People are concerned, I think for a lot of good reasons.

The question is now, particularly after the hundreds of thousands of people gathered in front of the Capitol last Saturday from all over the country, expressing many of those same concerns: Is anybody listening? Is anyone here listening?

It reminds me of a couple of weeks ago when my 2½-year-old grandson was spending the night with my wife and me. He was sleeping in another room, and we have these intercoms that everyone knows about. He knows about the intercom and how it works, so when he got up in the morning, as usual about 6:30 or something, he said: I am up. Is anybody home?

He kept saying: Is anybody home? Is anybody home? I knew he was going to keep saying it until I got up and went in and got him up.

I think that is the question Americans are asking us here in Congress: Is anybody home? A lot of people last weekend, when I was here, said: Keep

speaking for us. Someone has to speak for us. These were not mobsters, they were not the right wing. They were Americans, moms and dads with kids in strollers, grandpas and grandmas, here from all over the country, of all political parties, who know enough to say we cannot keep spending and borrowing, and the more we spend, the more waste and fraud there is.

All of us here seem to agree, especially at campaign time: Oh, we need to cut out the waste and fraud. But no matter what we bring up to cut, even if we pick the most egregious waste the Government Accountability Office comes up with every year and says these are the most wasteful and inefficient programs, we can put them on the floor of the Senate for a vote and we cannot cut them.

Where do we begin, when all we seem to do, week after week, month after month, year after year, when all of us come in from all around the country and for every problem we see we have a new government program or an earmark or something that is supposed to fix it? Everything adds to the deficit. We never make those tough decisions about cutting anything.

My amendment actually cuts something. It was not my invention. I have learned about it over countless television documentaries on the Congressman John Murtha Airport in Johnstown, PA. It is a small airport that over the last 20 years has received \$200 million in taxpayer funds. This is an airport that only has 3 flights a day, an average of a total of 20 passengers a day. All of those three flights come to Washington and they are always mostly empty. The people who buy the tickets spend about the same amount per ticket as the taxpayers' subsidy for those tickets.

Earlier in the year, after we passed the stimulus package, another \$800,000 went to this airport to pave the alternate runway that is seldom used. After I brought up this amendment to discontinue funding—and I want to make this clear; this is on this bill, the transportation bill, and it only discontinues funding for 1 year. It is not permanent. It does not discontinue any funding related to defense or the military, so the National Guard and others continue to use it. The Defense Department can spend whatever they want on this airport. It is just that the Department of Transportation cannot spend any more money to subsidize air traffic from this airport.

It also does nothing to cut any safety funds for air traffic control. It is a couple of paragraphs that say enough is enough, this airport has received an inordinate amount of money. It has equipment it doesn't even use, millions for radar equipment that is not even staffed. Again, 3 flights a day, only to Washington, DC, with less than an average of 20 passengers a day. Most of the time there are more airport security people in this airport than there are passengers.

This is not some partisan attack. In fact, if you will remember, the bridge to nowhere, which was a Republican project, was exposed by Republicans. It helped America see an example of waste and abuse. That is what this amendment is about. It is not an attack on any party or any State, it is just an example that has been brought to light by countless media sources all over the country of us wasting money—not just one time but year after year.

If my amendment is not agreed to, another \$1.5 million of subsidies will go to this one airport because their Congressman likes to fly back and forth from a local airport. Many Americans have to drive an hour or two to get to an airport. Folks in Johnstown could drive an hour to Pittsburgh Airport if the tickets were too expensive from Johnstown. This is not a particular attack on a Congressman or a State or community. It is a beginning. It is a demonstration that here in the Senate we get the message. We are listening. We are actually home and we are going to speak for those millions of Americans who say enough is enough, we cannot keep spending and borrowing and creating debt.

For every dollar we spend here, about half of it now is borrowed. We are actually on our knees begging countries such as China to loan us some money so we can pay some of the debt that is coming due. Yet we keep creating cash for clunkers and "Fannie Travel," which is a travel promotion agency we created a couple of weeks ago. Now we are passing a spending bill that is about 23 percent over what it was last year. At a time with down economics, Americans out of jobs, we are increasing spending that much.

With this amendment we are saying we can make a tough decision. We can begin the process of starting to cut waste and fraud. But the reason so many people are going to vote against this amendment is there is a code here: I will support your spending for your State if you will support mine. I will not mess with the spending in your State if you won't mess with mine. We have been doing it for years, so we have been adding earmarks and projects in all of our States, supporting each other, and the budget and the spending get bigger and bigger and no one has the courage to say no, we have to stop.

A few of us did on the bridge to nowhere. Thanks to millions of Americans saying you are right, we were able to stop that one project. But we are still spending like there is no tomorrow.

I am asking my colleagues to agree we can cut one thing, one thing that is obviously wasteful and unfair. It is not fair to ask taxpayers all over the country to subsidize half of every ticket that is bought in a little airport in Johnstown, PA. They are not helping all the other Americans around the country or all the other small airports. Certainly small general aviation airports have gotten Federal funds but nothing to this degree.

We are not interfering with the general aviation function of this airport at all or any military use. We are just going to stop for 1 year subsidizing the tickets and hopefully helping America to focus on part of our problem here.

Part of correcting a problem is admitting you have one. I don't think we have done it yet in this Senate. My hope is on this vote a majority of the Senators will step up and say we do have a problem and this is one amendment where we can show we are beginning to turn it around. I encourage all my colleagues to vote for this amendment to cut funding for 1 year, at least cut these subsidies and at least demonstrate to America that somebody is home.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Madam President, in a few short minutes we are going to be going to a series of votes, including a number of them on the transportation and housing bill that has been before the Senate for a week now. I want to take a few minutes to remind all of our colleagues about the importance of this bill that we will be passing here shortly this afternoon. This is a bill that has broad bipartisan support because it addresses some very real housing and transportation needs of families in every region of this country. We worked very hard with our colleague, Senator BOND, my ranking member, who has been amazingly great to work with this week. We faced some real challenges with our bill this year but together we made some important infrastructure improvements, including providing over \$75 billion for the Department of Transportation to support continued investment in our transportation infrastructure.

It includes \$11 billion for public transit and \$1.2 billion to invest in inner-city and high-speed rail.

This bill also supports the FAA's efforts to develop its next-generation air transportation system to support projected growth in air travel in coming years. It also invests \$3.5 billion for capital improvement at airports across the country.

The bill provides nearly \$46 billion for the Department of Housing and Urban Development, including \$100 million for HUD's housing counseling program that will help families who are facing foreclosure today to stay in their homes. The bill also provides more than \$18 billion for tenant-based rental or section 8, including an increase of over \$1 billion for the renewal of section 8 vouchers.

It also provides increased funding for the operation of public housing for a total level of \$4.75 billion, to make sure

our Nation's low-income families, which are also, as we all know, among the hardest hit in these tough economic times, continue to have access to safe, affordable housing.

The bill includes \$75 million for a very important program I worked on with Senator BOND, the joint HUD Veterans Affairs Supportive Housing Program. This is extremely important to our Nation's veterans. It will provide an additional 10,000 homeless veterans and their families with housing and supportive services.

The bill also addresses the needs of some of our most vulnerable citizens, by providing increased funding to support affordable housing for the elderly, disabled, those suffering from AIDS, and the Nation's homeless.

Finally, the bill provides almost \$4 billion for the Community Development Block Grant Program to support investments in public infrastructure, housing rehabilitation, and public service, assistance that is critical to our States and our local governments right now.

In summary, this bill provides assistance to those who need it most, and it directs resources in a responsible and fiscally prudent way. It will help our commuters, it will help owners, it will help the most vulnerable, and it will help our economy.

I hope all Senators will support the bill when we move to the final vote here shortly this afternoon, after we consider several amendments. Before I close, I do wish to take, again, a moment to thank my partner and friend, Senator BOND, whom it has been a pleasure to work with throughout this process, as he and I go to conference now to work hard to make sure we find the differences and fix the differences between us and the House so we can get this bill to the President.

I most importantly wish to thank all our staff, from the floor staff who have been so generous with their time and help as we have worked through this, to all the staff who worked on the transportation and housing subcommittee, including John Kamarck, Ellen Beares, Joanne Waszczak, Travis Lumpkin, Grant Lahmann, Michael Bain, Dedra Goodman, and Alex Keenan, our new staff director on transportation who has done an excellent job, and especially Matt McCardle and Mike Spahn for all their efforts during floor consideration.

I am pleased we were able to consider and debate so many amendments and have produced a strong bill. But I would be remiss if I did not single out and thank two members of our staff, Meaghan McCarthy and Rachel Milberg, for all the outstanding efforts they made over the past several months under very trying circumstances late at night working so diligently.

I wish to especially thank them for all the work they have done to assemble this bill and write the report. I know it was a daunting challenge. I am so grateful to them for all the extra ef-

fort they have had to go through under some very trying circumstances. They have done an excellent job. They are a delight to work with.

With that, I see that my ranking member is on the floor. I wish to, again, thank him for being a great partner and for all his help and support to get this bill to the floor today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, the real kudos and plaudits go to my colleague, the chair, Senator MURRAY, for having worked this through.

It is also a very interesting and challenging measure. But this year, we have advanced a bill, we have had lots of amendments, we have adopted some on strong bipartisan votes. I think this is a great tribute to the way she has worked with us closely on the committee and with the cooperation of all parties on the floor.

This is a bill in which many people have good ideas, and, as I said, we voted on and took a few of them. But I join Senator MURRAY in thanking her staff: Alex Keenan, Meaghan McCarthy, Rachel Milberg, Joanne Waszczak and Travis Lumpkin for their work. They have worked very closely with us.

Thanks for the hard work on my side to Ellen Beares and Jon Kamarck. The staff contributed. And also the work of the newest member of our team who came in at a time when we were badly understaffed, Dedra Goodman. But a very special thanks to Matt McCardle for his leadership and masterful management on the floor.

This was due to a lot of unforeseen circumstances. There were lots of times when he had to carry the load, and he also did it with good humor. When I was frazzled and confused about where things may be going, Matt had it under control, and he did a truly outstanding job.

Again, I thank our colleagues for allowing us to proceed with this bill. We did not plan on being here this the eighth day, having started last Thursday. But we are very optimistic that this bill can emerge from conference as a freestanding bill and be adopted by this body. I do not want to see this wind up in an "ominous" appropriations bill that does not reflect the hard work that went into it. When our work goes into what they call an omnibus, what I call an "ominous," appropriations bill, strange things happen to it. We hope we can work this bill and keep it together as crafted. It is a critical piece of legislation.

It has vitally important safety needs for transportation, particularly in aviation. It continues, although not as robustly as I would like, the development of more transportation infrastructure. There are badly needed elements in the housing part of the bill. We have to continue housing for those people who have assisted housing, public housing authorities, particularly in this economic downturn, when so many

people are feeling the pinch, special needs from the disabled, the elderly, to veterans, who have particularly been well served by the veterans assisted in supportive housing that we have provided.

But also, as I have warned many times before, the FHA program is a high-risk program that could subject us to billions of dollars being thrown on the taxpayers' credit card. And this bill provides resources for HUD to get up the IT systems it needs, to get the people in place. It provides for more oversight. It provides increases for the inspector general to doublecheck to make sure the predatory lending which inflicted the entire economy does not transport itself into FHA-supported housing.

So we do have some more amendments. And we look forward to working on those this afternoon. We thank all our colleagues for letting us come this far. We hope to get it passed and get these badly needed appropriations enacted into law.

AMENDMENT NO. 2403, AS MODIFIED

I ask unanimous consent that the McCain amendment No. 2403 be modified with the changes at the desk.

The PRESIDING OFFICER. As in legislative session, without objection, it is so ordered.

The amendment (No. 2403) as modified is as follows:

AMENDMENT NO. 2403, AS MODIFIED

On page 318, between lines 11 and 12, insert the following:

SEC. 2 _____. None of the funds made available by this Act may be used to carry out the Brownfields Economic Development Initiative program (including with respect to any individual property described on page 138, 139, or 141 of Senate Report No. 111-69) administered by the Department of Housing and Urban Development.

Mr. BOND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Resumed

The PRESIDING OFFICER. The clerk will report the bill.

The assistant bill clerk read as follows:

A bill (H.R. 3288) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

Pending:

Landrieu amendment No. 2365, to amend the Disaster Relief and Recovery Supplemental Appropriations Act, 2008.

McCain modified amendment No. 2403, to prohibit the use of funds to carry out the Brownfields Economic Development Initiative program administered by the Department of Housing and Urban Development.

DeMint amendment No. 2410, to limit the use of funds for the John Murtha Johnstown-Cambria County Airport.

Vitter modified amendment No. 2359, to prohibit the use of funds for households that include convicted drug dealing or domestic violence offenders or members of violent gangs that occupy rebuilt public housing in New Orleans.

Kyl motion to commit the bill to the Committee on Appropriations, with instructions to report the same back to the Senate forthwith with Kyl amendment No. 2421 (to the instructions on Kyl motion to commit the bill), relating to the American Recovery and Reinvestment Act.

AMENDMENT NO. 2365

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes evenly divided for a vote with respect to the Landrieu amendment.

Who yields time?

Mrs. MURRAY. Madam President, it is my understanding that this amendment is accepted on both sides. I urge a voice vote.

Mr. BOND. Madam President, nobody has advised us of objections on our side.

Mrs. HUTCHISON. Madam President, I support the Landrieu amendment.

The year 2008 witnessed numerous devastating disasters: severe wildfires in California, floods in the Midwest, and the one-two punch of Hurricanes Gustav and Ike along the Gulf Coast.

Congress responded last fall by passing a natural disaster supplemental, which in addition to providing necessary FEMA and SBA funding, provided \$6.5 billion in community development block grants to support recovery.

Unfortunately, the language included a restriction that has impaired these impacted communities' ability to rebuild.

This amendment removes that restriction, providing flexibility for these funds to be used to their greatest impact in the community, helping these communities get back on their feet as quickly as possible.

Without this amendment, many communities will be unable to balance their budget priorities, jeopardizing critical projects in the recovery process, or worse yet, leading to the abandonment of projects altogether.

Communities across this Nation have been greatly impacted by natural disasters over the past several years, including the State of Texas. Tax bases have been decimated and many communities are still struggling to recover. These devastated communities want to be able to stand on their own; however, they don't currently have the resources to do so. By providing maximum flexibility of vital Federal funds, as we have for previous disasters, we remove one more barrier from their way on the road to recovery.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 2365) was agreed to.

Mrs. MURRAY. I move to reconsider the vote.

Mr. BOND. I move to lay that motion on the table. The motion to lay on the table was agreed to.

AMENDMENT NO. 2359

The PRESIDING OFFICER. The pending business is amendment No. 2359, the Vitter amendment.

The Senator from Louisiana.

Mr. VITTER. Madam President, this amendment is very simple and straightforward. It simply says that no public housing assistance will be granted to anyone who is convicted of a crime involving drug trafficking, not simple possession but distribution, et cetera, or being a member of a violent gang. These are serious adult offenders. I don't believe we should use taxpayer funds with housing assistance, particularly in public housing projects, in that manner. It specifically focuses on New Orleans, LA, only New Orleans, where we are pouring massive amounts of Federal dollars to rebuild public housing projects in a fundamentally different, better way after Katrina, ridding those projects of the crime problem which had previously been embedded there. It is very important in terms of that recovery.

I reserve the remainder of my time.

Mr. DODD. Madam President, I rise in opposition to amendment No. 2359. Our colleague Senator LANDRIEU spoke at length last night about the reasons she opposes this amendment, which is targeted to her city of New Orleans.

I am here as the chairman of the Banking Committee, to share with you some of the reasons I believe this legislation could have benefitted from a more thorough vetting through the authorizing process.

While superficially an attractive effort to be tough on crime, the proposed amendment is likely to have serious unintended consequences while providing no apparent increase in public safety. The proposed amendment is overly broad, burdensome, and would present great difficulties for Federal, State, and local administrators to actually implement.

Representatives of public housing agencies have raised concerns about implementing this legislation. Advocates for low income families oppose this amendment.

Needless to say, we want to ensure the security of families receiving housing assistance. That is why current law already provides tools for denying or terminating assistance for drug-related and violent crimes and activities in public housing and section 8 assistance, which appears to be the amendment's objective.

I have other concerns about things that may or may not have been the objective of the amendment.

This provision only applies in New Orleans, raising questions about equal protection and the unfortunate possibility of federal law that changes from city to city.

It is a vast expansion of current Federal law. While Senator VITTER describes the amendment as applying to